

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

**STATEMENT OF OBJECTIONS
(FOR MERCHANTS WHO OPT OUT)**

★ **MAY 30 2013** ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

----- X
In re PAYMENT CARD INTERCHANGE :
FEE AND MERCHANT DISCOUNT : No. 05-MD-01720 (JG) (JO)
ANTITRUST LITIGATION :
----- X

Statement of Objections

Our organization is a member of the plaintiff class in the case called *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*. We are a class member because we operate

Fairview Pharmacy Services – **REDACTED**
711 Kasota Ave SE
Minneapolis, MN 55414

See pages that follow for Fairview Pharmacy Services DBA list. This letter is intended to include the following mailer IDs received by our corporate office in addition to any other mailers sent for this Tax ID number that didn't reach our office:

4719-01699287-6
4719-00609806-8
4719-07616931-4
4719-20709759-9
4719-15319601-4
4719-15319599-8
4719-07620235-9
4719-06972953-5
4719-07616929-8
4719-18278867-8
4719-13688989-6
4719-15854463-7
4719-15319555-0
4719-03390052-3
4719-15319484-6
4719-18278862-3

Our organization has accepted Visa and/or MasterCard prior to 2004 until present

Our organization objects to the settlement in this lawsuit. Our reasons for objecting are:

1. The proposed settlement does not address Visa's and MasterCard's price-fixing of interchange rates for the banks, the subject of the core claims in the case. The proposed settlement actually validates that practice, enabling Visa and MasterCard to continue to illegally fix fees for the banks that merchants and their customers have no choice but to pay. Our portion of the compensatory relief amounts to only a fraction of what we pay in interchange, and given that Visa and MasterCard can continue to fix interchange, they can recoup the settlement amount by raising interchange rates in the future.
2. Instead of addressing the core claims in the case, the settlement merely provides merchants with a limited ability to surcharge Visa and MasterCard credit card transactions that is of little value to us.
3. Eight month reduction in interchange fees is a short term solution and fee reductions should be required long term.
4. We accept American Express transactions. The settlement limits our ability to surcharge Visa and MasterCard credit card transactions because under its terms we can only surcharge Visa and MasterCard transactions if we also surcharge American Express transactions. However, we cannot surcharge American Express transactions under our contract with American Express. Since we cannot realistically drop American Express to avoid this limitation, this is another reason why we cannot take advantage of the surcharging relief in the settlement.
5. The proposed settlement includes unacceptable obligations, such as requiring us to disclose to customers at the point of sale that we are imposing the surcharge, when in fact the only reason we would charge such fees is the onerous fees set by Visa and MasterCard. The settlement also requires us to disclose to Visa and MasterCard that we are imposing the surcharge, which is an effort to intimidate us.
6. The release will not allow me to protect against mistreatment by Visa and MasterCard. It purports to cover all Visa and MasterCard rules and conduct that were in place upon preliminary approval, and all future rules and future conduct that are substantially similar to rules and conduct in place at preliminary approval. These rules are unfair and cause problems for my business.
7. Based on the outcome of the settlement, we do not believe the lawyers who negotiated it represented our best interests. In addition, they are guaranteed their fees which is a large portion of the entire settlement whereas we are not guaranteed the full 10 basis points if there is not sufficient funds remaining to cover this amount.

My personal information is:

Name *[first, middle, last]*: Kristin Sybilla Sauber

Address: 711 Kasota Ave SE, Minneapolis, MN 55414

Phone No.: 612-672-5138

Dated: May 22, 2013

Signed: Kristin Sybilla Sauber

Printed name: Kristin Sybilla Sauber

Merchant name: Fairview Pharmacy Services LLC

Address: 711 Kasota Ave SE
Minneapolis, MN 55414

Addendum:

SITE NAME	SITE ADDRESS
Fairview Andover Pharmacy	13819 Hanson Blvd Suite 100 Andover, MN. 55304 Anoka County
Fairview Cedar Ridge Pharmacy	15650 Cedar Avenue South Apple Valley, MN. 55124 Dakota County
Fairview Columbia Heights Pharmacy	4000 Central Ave NE Suite 100 Columbia Heights, MN. 55421 Anoka County
Fairview Eagan Pharmacy	1440 Duckwood Drive Eagan, MN 55122 Dakota County
Fairview Eden Prairie Pharmacy	830 Prairie Center Drive Eden Prairie, MN 55344- 7301 Hennepin County
Fairview Edina Pharmacy	6363 France Avenue South Edina, MN 55435 Hennepin County
Fairview Hiawatha Pharmacy	3809 42nd Avenue South Minneapolis, MN 55406 Hennepin County
Fairview Highland Park Pharmacy	2155 Ford Parkway St. Paul, MN 55116 Ramsey County

Fairview Home Infusion	711B Kasota Avenue SE Minneapolis, MN. 55414 Hennepin County
Fairview Lakes Pharmacy - Lino Lakes	7455 Village Drive Lino Lakes, MN 55014 Anoka County
Fairview Lakes Pharmacy - Rush City	780 West 4th Street Rush City, MN 55069 Chisago County
Fairview Lakes Pharmacy - Wyoming	5200 Fairview Boulevard Wyoming, MN 55092- 8013 Chisago County
Fairview New Brighton Pharmacy	1151 Silverlake Road New Brighton, MN 55112 Ramsey County
Fairview Northeast Pharmacy	2847 Johnson Street NE Minneapolis, MN 55418 Hennepin County
Fairview Northland Pharmacy - Elk River	290 Main Street Northwest Elk River, MN 55330 Sherburne County
Fairview Northland Pharmacy - Milaca	115 Second Avenue SW Milaca, MN 56353 Mille Lacs County
Fairview Northland Pharmacy - Princeton	919 Northland Drive Princeton, MN 55371 Sherburn County
Fairview Northland Pharmacy - Zimmerman	25945 Gateway Drive Zimmerman, MN 55398 Sherburn County
Fairview Northland Regional Hospital Pharmacy	911 Northland Drive Princeton, MN 55371- 2172 Sherburn County
Fairview Oxboro Pharmacy	600 W. 98th Street Bloomington, MN 55420 Hennepin County
Fairview Pharmacy Blaine	10961 Club West Parkway Blaine, MN 55449 Anoka County
Fairview Pharmacy Brooklyn Park	10000 Zane Avenue North Brooklyn Park, MN 55443 Hennepin County
Fairview Pharmacy Hugo	14712 Victor Hugo Blvd Suite 10 Hugo, MN 55038

Fairview Pharmacy Maple Grove	14500 99th Ave North Suite 1A029 Maple Grove, MN. 55369 Hennepin County
Fairview Pharmacy North Branch	5366 386th Street North Branch, MN 55056-5833 Chisago County
Fairview Pharmacy Prior Lake	4151 Willowwood Street SE Prior Lake, MN 55372 Scott County
Fairview Pharmacy Smiley's Clinic	2020 28th Street East Minneapolis, MN. 55407 Hennepin County
Fairview Pharmacy University Village	2545 University Ave SE Minneapolis, MN 55414 Hennepin County
Fairview Ridgeview Pharmacy	303 East Nicollet Boulevard Burnsville, MN 55337 Hennepin County
Fairview Riverside Pharmacy	606 24th Avenue South Minneapolis, MN 55454 Hennepin County
Fairview Southdale Medical Pharmacy	6545 France Avenue South Suite 100 Edina, MN 55435 Hennepin County
Fairview Specialty Services Pharmacy	711 Kasota Avenue SE Minneapolis, MN 55414 Hennepin County
Fairview University Clinic Pharmacy	516 Delaware Street SE 2-350 Minneapolis, MN 55455 Hennepin County
Fairview University Discharge Pharmacy	500 Harvard Street SE Suite 3-017 Minneapolis, MN 55455 Hennepin County
Fairview University Masonic Pharmacy	424 Harvard Street SE Minneapolis, MN 55455 Hennepin County
Pay To Address for all Locations Except Home Infusion	Fairview Pharmacy Services, LLC PO Box 1450 NW 7429 Minneapolis, MN 55485-7429
Pay To Address for Home Infusion	Fairview Pharmacy Services, LLC PO Box 1450 NW 7849 Minneapolis, MN 55485-7849